

CR # 102008163/163/162  
PSC 9-2095300 RB

09\_WW-005

ORIGINAL  
DO NOT REMOVE FROM OFFICE  
**TIDEWATER**

**ENVIRONMENTAL SERVICES, INC.**

1100 SOUTH LITTLE CREEK ROAD

DOVER, DELAWARE 19901

2009 SEP -2 AM 10:07  
DEL AVAL

Lynna  
Katie  
Donna  
Jackie  
Kevin

Certificate of Public Convenience and  
Necessity Application

Sussex County

Chesapeake Bay Reserve 2

**TIDEWATER**  
ENVIRONMENTAL SERVICES, INC.  
1100 SOUTH LITTLE CREEK ROAD  
DOVER, DELAWARE 19901

September 2, 2009

Mr. Kevin Neilson  
Public Service Commission  
861 Silver Lake Blvd.  
Suite 100  
Dover, DE 19904

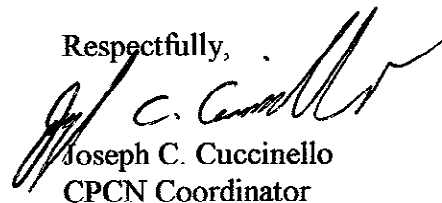
Re: Wastewater CPCN Application -Chesapeake Bay Reserve 2

Dear Mr. Neilson;

Enclosed you will find the CPCN application for Chesapeake Bay Reserve 2 area located in Sussex County, Delaware.

One original and ten copies of the application have been included. A check payable to the Public Service Commission in the amount of \$300.00 has also been included for the application fee. If I can be of further assistance upon your review, please do not hesitate to contact me at 302-734-7500 Ext. 1014.

Respectfully,



Joseph C. Cuccinello  
CPCN Coordinator

cc: Ms. Katherine Bunting-Howarth, DNREC w/enclosures  
Ms. Dorothy Morris, OSP w/enclosures  
Mr. Mike Izzo, Sussex County, w/enclosures

**APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY REQUIRED TO BEGIN OR EXPAND THE BUSINESS  
OF A PUBLIC WASTEWATER UTILITY**

**BEFORE THE PUBLIC SERVICE COMMISSION**

This form of application must be filed for each new and expanding wastewater system pursuant to 26 Del. C. §203D(d).

**WASTEWATER UTILITIES:      Chesapeake Bay Reserve 2**

1. Basis for application:

- ☐ a.      The applicant is in possession of a signed service agreement with the developer of a proposed subdivision or development, which subdivision or development has been duly approved by the respective county government (26 Del. C., §203D (d)(1); or
- ☒ b.      The applicant is in possession of a petition signed by all of the parcel owners of the proposed territory to be served; (26 Del. C., §203D (d)(2)); see **Exhibit A**
- ☐ c.      The applicant is in possession of a duly certified copy of a resolution from the governing body of a county or municipality requesting the applicant to provide service to the proposed territory to be served; (26 Del. C., §203D (d)(3)).

2. To obtain a Certificate of Public Convenience and Necessity ("CPCN") to provide adequate wastewater service to customers.

3. Tidewater Environmental Services, Inc. requests an informal fact finding procedure during review of the application.

- a)      Full legal name and address of Applicant:  
Tidewater Environmental Services, Inc.  
1100 South Little Creek Road  
Dover, Delaware 19901
- b)      Full name of the Utility's designated representative:  
Bruce Patrick
- c)      Phone no: 302-734-7500
- d)      Fax no: 302-734-9297
- e)      Email address: [bpatrick@tuiwater.com](mailto:bpatrick@tuiwater.com)

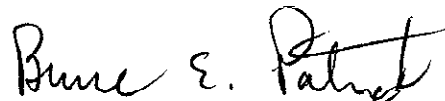
5. Supporting documentation required by 26 Del. C. §203E(1), including evidence that all landowners of the proposed territory have been notified of application: **Exhibit B**

6. A complete list of county tax map parcel number(s) for the area covered by the application: **Exhibit C**

7. Check made out to the Delaware Public Service Commission in the amount of \$300.00.

8. A complete list of county tax map parcel number(s) with corresponding names and addresses of property owners and a copy of the tax map(s) for the area: **Exhibit C**
9. The Applicant hereby certifies that the extension will satisfy the provisions of 26 Del. C. §403C, including:
  - a) The Applicant is currently not subject to a finding by the appropriate federal or state regulatory authority that we have materially failed to comply with applicable wastewater treatment standards; and
  - b) The Applicant is currently not subject to any Order issued by the Commission finding that Tidewater Environmental Services, Inc. has materially failed to provide adequate or proper safe wastewater services to existing customers.
10. As shown in Exhibit A, a majority of the parcel owners of the proposed territory to be served agree with the filing of a CPCN to permitting Applicant to provide them with public wastewater services.
  - a) A copy of the application will be sent to the Office of State Planning and Department of Natural Resources on or about **September 2, 2009**.
    - 1) The current status of such Application is: **Sent**
  - b) The Applicant provides the following additional information with this application;
    - 1) A corporate history including dates of incorporation, subsequent acquisitions and/or mergers are currently on file with the PSC.
    - 2) A chart, which depicts the inter-company relationships is currently on file with the PSC.
    - 3) A map identifying all areas, including all towns, cities, counties and other government subdivisions to which service is already provided.
    - 4) All copies of Applicant's annual reports to stockholders and that of its subsidiaries, and parent for the last two years are currently on file with the PSC.
    - 5) Applicant's audited financial statements, 10K's and all proxy material for the last two years are currently on file with the PSC.
    - 6) Any additional information required by PSC Staff will be made available on request.

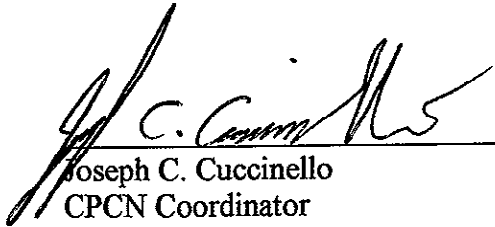
Respectfully submitted,



Bruce E. Patrick  
Vice President of Engineering

### **Certification of Landowner Information Accuracy**

By submitting this application, Tidewater Environmental Services Inc. hereby certifies that we have reviewed the appropriate tax or land record documents; and that according to those documents, the landowners identified in the parcel lists are the landowners of record and that the petitions contained in this application have been signed by the landowners of record.



Joseph C. Cuccinello  
CPCN Coordinator

# **EXHIBIT A**

TESI - Wastewater Petition

1-800-523-7224

[www.tuiwater.com](http://www.tuiwater.com)

**PETITION FOR INCLUSION IN  
TIDEWATER ENVIRONMENTAL SERVICES, INC.  
WASTEWATER SERVICE TERRITORY**

In accordance with 26 Delaware Code 203-D., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the wastewater service territory of Tidewater Environmental Services, Inc. I/We understand that the majority of the property owners must sign this petition in order for Tidewater Environmental Services, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide wastewater service to the following property/properties:

Tax Parcel Number(s): 532-14.00-9.00

Property Owner(s): STAGE ROAD LLC,  
EDWARD BISPHAM & JAMES ROSTOCKI  
P.O. BOX 6577, FREEHOLD, NJ 07728

Owner's Signature(s):

X 

Date:

7-15-07

Owner's Signature(s):

X 

Date:

7-16-07

Please sign and date at the X and then return the signed petition to the following address:

Tidewater Utilities, Inc.  
1100 S. Little Creek Road  
Dover, DE 19901

P-09-0171  
Chesapeake Bay Reserve

# **EXHIBIT B**



**TIDEWATER**  
ENVIRONMENTAL SERVICES, INC.  
1100 SOUTH LITTLE CREEK ROAD  
DOVER, DELAWARE 19901

August 3, 2009

Certified Return Receipt # 7007 3020 0002 5598 9638

Stage Road LLC  
Edward Bispham & James Rostocki  
PO Box 6577  
Freehold, NJ 07728

Dear Stage Road LLC,

Tidewater Environmental Services Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide wastewater service to your property, parcel number 532-14.00-9.00 (part of) located in Sussex County.

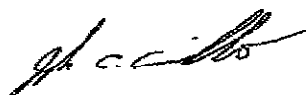
Tidewater will be submitting an application for a Certificate of Public Convenience and Necessity (CPCN) with the Public Service Commission (PSC) on or around **September 2, 2009**. Included with this letter is information that we are required to provide to all landowners within a proposed service territory prior to filing the application for a CPCN.

When the CPCN is granted, Tidewater will have the permission to provide public wastewater service to your parcel. It is important for you, as the landowner, to know that when wastewater service is made available to your parcel you are not obligated to connect to our wastewater system as long as your current wastewater system is functioning properly. If you agree to have your property be part of this proposed service area, no action on your part is required at this time.

Tidewater understands that customer satisfaction and quality water are the foundation of our business. In 2007 Tidewater was awarded the Torch Award by the Delaware Better Business Bureau for our Marketplace Ethics. Tidewater a part of Middlesex Water Company was recently named one of America's 100 most trustworthy publicly traded firms according to Audit Integrity, Inc. In addition, Tidewater was voted Best Tasting Water in 2007 by Delaware Rural Water Association.

If you have any questions in regards to this matter please feel free to contact me at 1-800-523-7224 ext. 1014.

Sincerely,



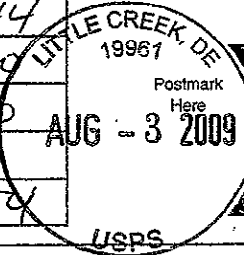
Joseph C. Cuccinello  
CPCN Coordinator

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ 44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54



PS Form 3800, August 2006 See Reverse for Instructions

Stage Road LLC  
 Edward Bispham & James Rostocki  
 PO Box 6577  
 Freehold, NJ 07728

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Stage Road LLC  
 Edward Bispham & James Rostocki  
 PO Box 6577  
 Freehold, NJ 07728

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☐ Agent ☐ Addressee  
 B. Received by (Printed Name) C. Date of Delivery  
 D. Is delivery address different from item 1? ☐ Yes ☐ No  
 If YES, enter delivery address below:

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.  
 4. Restricted Delivery? (Extra Fee) ☐ Yes

**2. Article Number**  
 (Transfer from service label)

7007 3020 0002 5598 9638

# EXHIBIT C

MAPS

SEE

ORIGINALS  
IN DOCKET

## TAX Parcel Reference List

### Exhibit C

<u>Tax Map Parcel Numbers</u>	<u>Acres</u>	<u>Owner</u>
532-14.00-9.00 (part of)	6.12	Stage Road LLC